

USM-285 is a 5-part form. Fill out the form and print 5 copies. Sign as needed and route as specified below.

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURN

JDS -1

PLAINTIFF
UNITED STATES OF AMERICACOURT CASE NUMBER
H-04-25(S-2)DEFENDANT
RICHARD A. CAUSEYTYPE OF PROCESS
PUBLICATION OF ORDERSERVE
AT

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN

Houston Chronicle

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW

Patrick Murphy
U.S. Department of Justice
1400 New York Ave., NW - Ste. 10100
Washington, DC 20005Number of process to be
served with this Form 285Number of parties to be
served in this caseCheck for service
on U.S.A.SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses,
All Telephone Numbers, and Estimated Times Available for Service):

Fold

Publish Preliminary Order of Forfeiture in the Houston Chronicle.

United States Courts
Southern District of Texas
FILED

Fold

JAN - 5 2007

Michael N. Milby, Clerk

Signature of Attorney other Originator requesting service on behalf of:

☒ PLAINTIFF☐ DEFENDANT

TELEPHONE NUMBER

(202)307-3338

DATE

1/29/07

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total
number of process indicated.
(Sign only for USM 285 if more
than one USM 285 is submitted)

Total Process

1

District of
Origin

No. 79

District to
Serve

No. 79

Signature of Authorized USMS Deputy or Clerk

Barbara Lowe

Date

11-30-06

I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the individual, company, corporation, etc. shown at the address inserted below.☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)

☐ A person of suitable age and discretion
then residing in defendant's usual place
of abode

Address (complete only different than shown above)

Date
1/5/07

Time

9:00

☒ am
☐ pm

Signature of U.S. Marshal or Deputy

Butt

Service Fee

8.00

Total Mileage Charges
including endeavors)

Forwarding Fee

Total Charges

8.00

Advance Deposits

Amount owed to U.S. Marshal* or
(Amount of Refund*)REMARKS: PUBLICATION FILED TO HOUSTON CHRONICLE ON 12/6/06.
PUBLICATION SCHEDULED TO RUN ON 12/18, 12/15, 12/22/06.

PUBLICATION COMPLETED ON 12/24/06. RETURNED TO COURT ON 1/5/07.

PRINT 5 COPIES:

1. CLERK OF THE COURT

2. USMS RECORD

3. NOTICE OF SERVICE

4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment,
if any amount is owed. Please remit promptly payable to U.S. Marshal.

5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

CLERK

Form USM-285
Rev. 12/15/80
Automated 01/00

AFFIDAVIT OF PUBLICATION

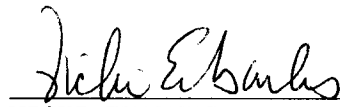
STATE OF TEXAS:

COUNTY OF HARRIS:

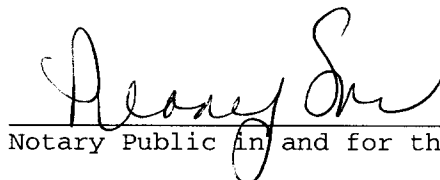
Before me, the undersigned authority, a Notary Public in and for the State of Texas, on the day personally appeared: VICKI EUBANKS, who after being duly sworn, says that she is the ACCOUNTS RECEIVABLE LEAD at the HOUSTON CHRONICLE, a daily newspaper published in Harris County, Texas, and that the publication, of which the annexed herein, or attached to, is a true and correct copy, was published to-wit:

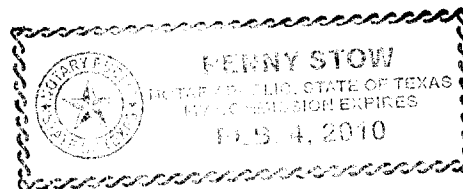
U S MARSHALS SERVICE 21514437 96730605
RAN A LEGAL NOTICE
SIZE BEING: 1 X 181 L

product	date	class	page
hc	Dec 8 2006	1245.0	F_fri_O 8
hc	Dec 15 2006	1245.0	F_fri_O 8
hc	Dec 22 2006	1245.0	F_fri_O 8


VICKI EUBANKS
ACCOUNTS RECEIVABLE LEAD

Sworn and subscribed to before me, this the 22nd Day of December A.D. 2006


Notary Public in and for the State of Texas



**IN THE UNITED STATES
DISTRICT COURT FOR
THE SOUTHERN DISTRICT
OF TEXAS
HOUSTON DIVISION
Preliminary Order of
Forfeiture
Fed R. Crim. P. 32.2(b)
Civil No. H-04-250(S-2)
UNITED STATES OF
AMERICA,**

**- against -
RICHARD A. CAUSEY,
Defendant.**

**IT IS HEREBY ORDERED
THAT:**

1. As the result of the guilty plea on Count 19 of the Superseding Indictment, for which the Government sought forfeiture pursuant to 18 U.S.C. §981 and 28 U.S.C. §2461, defendant shall forfeit to the United States all property constituting, or derived from proceeds the defendant obtained directly or indirectly, as the result of such violations.
2. The Court has determined, based on defendant's plea agreement and evidence already in the record, including defendant's factual statements, that \$1,250,000.00 located within Wachovia Securities Accounts subject to forfeiture pursuant to 18 U.S.C. §981 and 28 U.S.C. §2461 that the defendant had an interest in such property, and that the government has established the requisite nexus between such property and such offenses.
3. Accordingly, \$1,250,000.00 of the funds located within Wachovia Securities Account held in the name of Elizabeth A. and Richard Causey, is hereby forfeited to the United States pursuant to 18 U.S.C. §981 and 28 U.S.C. §2461.
4. Upon entry of this Order, the United States Attorney General (or a designee) is authorized to commence any applicable proceeding to comply with statutes governing third party rights, including giving notice of this Order.
5. The United States shall publish notice of the order and its intent to dispose of the Subject Property in such a manner as the United States Attorney General (or a designee) may direct. The United States may also, to the extent practicable, provide written notice to any person known to have an alleged interest in the Subject Property.
6. Any person, other than the above named defendant, asserting a legal interest in the Subject Property may, within thirty (30) days of the final publication of notice or receipt of notice, whichever is earlier, petition the court for a hearing without a jury to adjudicate the validity of his or her alleged interest in the Subject Property, and for an amendment of the order of forfeiture, pursuant to 28 U.S.C. §2461(c) which incorporates 21 U.S.C. §853(n). Any petitioner should serve a copy of the petition on Patrick Murphy, Trial Attorney, Asset Forfeiture and Money Laundering Section, United States Department of Justice.
7. Pursuant to Fed R. Crim. P. 32.2(b)(3), this Preliminary Order of Forfeiture shall become final as to the defendant at the time of sentencing and shall be made part of the sentence and included in the judgment. If no third party files a timely claim.

be made part of the sentence and included in the judgment. If no third party files a timely claim, this Order shall become the Final Order of Forfeiture, as provided by Fed. R. Crim. P. 32.2(c)(2).

8. Any petition filed by a third party asserting an interest in the Subject Property shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title, or interest in the Subject Property, the time and circumstances the petitioner's acquisition of the right, title or interest in the Subject Property, any additional facts supporting the petitioner's claim and the relief sought.

9. After the disposition of any motion filed under Fed. R. Crim. P. 32.2(c)(1)(A) and before a hearing on the petition, discovery may be conducted in accordance with the Federal Rules of Civil Procedure upon a showing that such discovery is necessary or desirable to resolve factual issues.

10. The United States shall have clear title to the Subject Property following the Court's disposition of all third-party interests, or, if none, following the expiration of the period provided in 21 U.S.C. §853(n)(2).

11. The Court shall retain jurisdiction to enforce this Order and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e).

12. The Clerk of the Court shall forward four certified copies of this order to Patrick T. Murphy, Trial Attorney, Asset Forfeiture and Money Laundering Section, U.S. Department of Justice.

Dated: November 15, 2006

SO ORDERED:

/s/ HONORABLE SIM LAKE
UNITED STATES
DISTRICT JUDGE

Client Name: 21514437
 Advertiser: 1 X 181
 Section/Page/Zone: B&W
 Description: 12/08/2006
 Ad Number: 21514437
 Insertion Number: 12/08/2006
 Size: 1 X 181
 Color Type: B&W
 Publication Date: 12/08/2006

U S MARSHALS SERVICE
 CLAIF/8/
 1 X 181

Publication Date: 12/08/2006

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

U.S. MARSHALS SERVICE

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA,

- against -

RICHARD A. CAUSEY,

Defendant.

)
)
) Preliminary Order of Forfeiture
)
)
)

Fed. R. Crim. P. 32.2(b)

)
)
) Cr. No. H-04-25(S-2)
)
)
)
)
)

IT IS HEREBY ORDERED THAT:

1. As the result of the guilty plea on Count 19 of the Superseding Indictment, for which the Government sought forfeiture pursuant to 18 U.S.C. § 981 and 28 U.S.C. § 2461, defendant shall forfeit to the United States all property constituting, or derived from, proceeds the defendant obtained directly or indirectly, as the result of such violations.
2. The Court has determined, based on defendant's plea agreement and evidence already in the record, including defendant's factual statements, that \$1,250,000.00 located within Wachovia Securities Account [REDACTED] is subject to forfeiture pursuant to 18 U.S.C. § 981 and 28 U.S.C. § 2461, that the defendant had an interest in such property, and that the government has established the requisite nexus between such property and such offenses.
3. Accordingly, \$1,250,000.00 of the funds located within Wachovia Securities Account [REDACTED] held in the name of Elizabeth A. and Richard Causey, is hereby forfeited to the United States pursuant to 18 U.S.C. § 981 and 28 U.S.C. § 2461.
4. Upon entry of this Order, the United States Attorney General (or a designee) is authorized

to commence any applicable proceeding to comply with statutes governing third party rights, including giving notice of this Order.

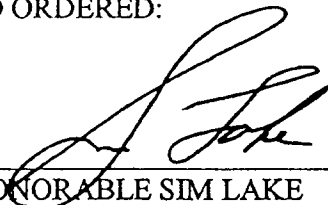
5. The United States shall publish notice of the order and its intent to dispose of the Subject Property in such a manner as the United States Attorney General (or a designee) may direct. The United States may also, to the extent practicable, provide written notice to any person known to have an alleged interest in the Subject Property.
6. Any person, other than the above named defendant, asserting a legal interest in the Subject Property may, within thirty (30) days of the final publication of notice or receipt of notice, whichever is earlier, petition the court for a hearing without a jury to adjudicate the validity of his or her alleged interest in the Subject Property, and for an amendment of the order of forfeiture, pursuant to 28 U.S.C. § 2461(c) which incorporates 21 U.S.C. § 853(n). Any petitioner should serve a copy of the petition on Patrick Murphy, Trial Attorney, Asset Forfeiture and Money Laundering Section, United States Department of Justice.
7. Pursuant to Fed. R. Crim. P. 32.2(b)(3), this Preliminary Order of Forfeiture shall become final as to the defendant at the time of sentencing and shall be made part of the sentence and included in the judgment. If no third party files a timely claim, this Order shall become the Final Order of Forfeiture, as provided by Fed. R. Crim. P. 32.2(c)(2).
8. Any petition filed by a third party asserting an interest in the Subject Property shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title, or interest in the Subject Property, the time and circumstances of the petitioner's acquisition of the right, title or interest in the Subject

Property, any additional facts supporting the petitioner's claim and the relief sought.

9. After the disposition of any motion filed under Fed. R. Crim. P. 32.2(c)(1)(A) and before a hearing on the petition, discovery may be conducted in accordance with the Federal Rules of Civil Procedure upon a showing that such discovery is necessary or desirable to resolve factual issues.
10. The United States shall have clear title to the Subject Property following the Court's disposition of all third-party interests, or, if none, following the expiration of the period provided in 21 U.S.C. § 853(n)(2).
11. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e).
12. The Clerk of the Court shall forward four certified copies of this order to Patrick T. Murphy, Trial Attorney, Asset Forfeiture and Money Laundering Section, U.S. Department of Justice.

SO ORDERED:

Dated: *November 15, 2006*



HONORABLE SIM LAKE
UNITED STATES DISTRICT JUDGE